

SECOND REGULAR SESSION

# SENATE BILL NO. 1006

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KOSTER.

Read 1st time January 23, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

4565S.011

## AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to child care subsidies.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 208, RSMo, is amended by adding thereto one new section, to be known as section 208.046, to read as follows:

**208.046. 1. The children's division shall promulgate rules to become effective no later than July 1, 2009, to modify the income eligibility criteria for any person receiving state-funded child care assistance under this chapter, either through vouchers or direct reimbursement to child care providers, as follows:**

**(1) For incomes of less than one hundred thirty percent of the federal poverty level for the applicable family size, such persons receiving state-funded child care assistance under this chapter shall be eligible, subject to appropriations, to receive child care subsidy benefits, less a sliding fee established by the children's division based on family size and income;**

**(2) A person receiving state-funded child care assistance under this chapter and whose income surpasses one hundred thirty percent of the federal poverty level for the applicable family size may continue to receive reduced subsidy benefits on a scale established by the children's division until such person's income reaches one hundred sixty percent of the federal poverty level for the applicable family size, at which time such person will have assumed the full cost of the maximum base child care subsidy rate established by the children's division and shall be no longer eligible for child care subsidy benefits;**

**(3) If appropriations in a given fiscal year are insufficient to**

22 provide the subsidy established under this chapter for all eligible  
23 recipients, the children's division shall establish a waiting list and  
24 promulgate rules for the prioritization of eligible recipients on the  
25 waiting list.

26       2. The sliding scale fee established in this section for child care  
27 subsidy recipients may be waived for children with special needs as  
28 established by the children's division.

29       3. Any rule or portion of a rule, as that term is defined in section  
30 536.010, RSMo, that is created under the authority delegated in this  
31 section shall become effective only if it complies with and is subject to  
32 all of the provisions of chapter 536, RSMo, and, if applicable, section  
33 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable  
34 and if any of the powers vested with the general assembly pursuant to  
35 chapter 536, RSMo, to review, to delay the effective date, or to  
36 disapprove and annul a rule are subsequently held unconstitutional,  
37 then the grant of rulemaking authority and any rule proposed or  
38 adopted after August 28, 2008, shall be invalid and void.

Bill ✓

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